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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 04-051)

In re Application of:)
Brian T. Cunningham.) Group Art Unit: 2874
Serial No.: 10/812,635)
Filed: March 29, 2004)
For: Photonic Crystal Defect Cavity Biosensor) Confirmation No. 3485

TRANSMITTAL LETTER

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Commissioner for Patents
P.O Box 1450
Alexandria, Virginia 22313-1450

In regard to the above identified application:

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 1. Information Disclosure Statement
 2. Form PTO-1449
 3. Cited references
 4. Return postcard
2. With respect to additional fees:
 - A. ☒ No additional fee is required.
 - B. ☐ Attached is a check in the amount of \$0.
 - C. ☐ Charge the total additional fee to our Deposit Account No. 13-2490.
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4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia, 22313-1450 on this 10 day of August 2004.

By:

Thomas A. Fairhall
Reg. No. 34,591

the cited references have effective dates early enough to be “prior art” within the meaning of 35 U.S.C. §§ 102 or 103.

CITED REFERENCES

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<u>Patent No.</u>	<u>Date Filed</u>	<u>Inventor</u>	<u>Class/ Subclass</u>	
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2003/0017581 A1	01/23/03	Li et al.	435	2872
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Other Documents:

1. Pacradouni, V., W.J. Mandeville, A.R. Cowan, P. Paddon, J.F. Young, and S.R. Johnson, *Photonic band structure of dielectric membranes periodically textured in two dimensions*. Physical Review B, 2000. 62(7): p. 4204-4207.
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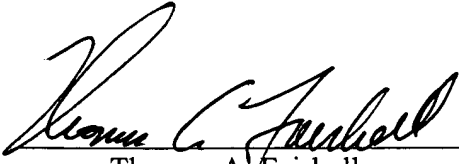
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Respectfully submitted,

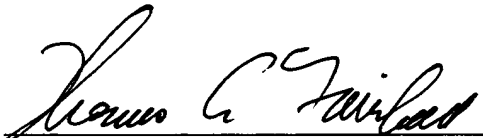
McDonnell Boehnen Hulbert & Berghoff LLP

Date: 8/10/04

By: 
Thomas A. Fairhall
Reg. No. 34,591

CERTIFICATE OF MAILING

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Thomas A. Fairhall

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

Serial No.

04-051

10/812,635

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:
Brian Cunningham

Filing Date:
03/29/2004

Group:
2874




U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	2003/0113766 A1	06/19/03	Pepper et al.	435	6	
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							Yes	No

FORM PTO-1449 (Rev. 2-32)	<p align="center">U.S. Department of Commerce Patent and Trademark Office</p> <p align="center">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p align="center">(Use several sheets if necessary)</p>	Atty. Docket No. 04-051	Serial No. 10/812,635
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Sheet 3 of 3

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EXAMINER			DATE CONSIDERED

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